

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GRANVIA TRADING, LTD.

Plaintiff,

-versus-

SUTTON CREATIONS, INC.,

Defendant/Third-Party Plaintiff,

- versus-

GALIHAD ENTERPRISES LTD., BURLINGTON

COAT FACTORY WAREHOUSE CORPORATION,

SHERRY MILKEY AND DEVIN INDUSTRIES, LLC.,

Third-Party Defendant.
-----X

**THIRD PARTY DEFENDANT, BURLINGTON COAT FACTORY
WAREHOUSE CORPORATION'S INITIAL DISCLOSURES UNDER
RULE 26(a)(1) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Third-Party Defendant, Burlington Coat Factory Corporation ("Burlington"), by and through counsel, provides these initial disclosures, pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure made applicable to this adversary proceeding by Fed. R. Bankr. P. 7026(a)(1) to Plaintiff, Granvia Trading, Ltd.; Third-Party Plaintiff, Sutton Creations, Inc.; and Third-Party Co-Defendants, Galihad Enterprises, Ltd.; Sherry Milkey; and Devin Industires, LLC (collectively referred to herein as the "Parties").

**INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION
RELEVANT TO DISPUTED FACTS**

Individual(s) with information regarding the relationship between the Burlington and the Parties are:

1. **BURLINGTON COAT FACTORY WAREHOUSE CORPORATION**

- a. **STACY J. HAIGNEY**, General Attorney, In-House Counsel.
c/o BURLINGTON COAT WAREHOUSE CORPORATION, 1830 Route 130,
Burlington, New Jersey 08016 or c/o 263 West 38th Street, New York, New
York, 10018.
- b. **JACK MOORE**, President of Merchandise Planning, Advertising and
Marketing.
c/o BURLINGTON COAT WAREHOUSE CORPORATION, 1830 Route 130,
Burlington, New Jersey 08016.
- c. **TARA NEWHALL**, previous Vice President of Merchandising/ Planning and
Divisional Merchandise Manager of Coats and Outerwear Division.
c/o BURLINGTON COAT WAREHOUSE CORPORATION, 1830 Route 130,
Burlington, New Jersey 08016.
- d. **CYNTHIA DUNHAM**, Vice President and Divisional Merchandise Manager
of Coats and Outerwear Division.
c/o BURLINGTON COAT WAREHOUSE CORPORATION, 1830 Route 130,
Burlington, New Jersey 08016.
- e. **KELLIE MULLINS**, Buyer of Coats and Outerwear Division.
c/o BURLINGTON COAT WAREHOUSE CORPORATION, 1830 Route 130,
Burlington, New Jersey 08016.
- f. One or more employees and/or representatives of Burlington, of or relating
to booking keeping, record keeping, document management and/or the
transactions at issue.

The above individuals can be contacted through Burlington's counsel, Lazarus &
Lazarus, P.C., 240 Madison Avenue, 8th Flr., New York, New York 10016, (212) 889-7400.

2. **SUTTON CREATIONS, INC.**

- a. GARY SILVESTEIN, Senior Vice President.
Sutton Creations, Inc., c/o Matalon & Shweky, P.C., 450 Seventh Avenue,
Suite 1409, New York, New York 10123.
- b. One or more employees and/or representatives of Sutton Creations, Inc., of
or relating to booking keeping, record keeping, document management
and/or the transactions at issue.

3. **DEVIN INDUSTRIES, LLC.**

- a. One or more employees and/or representatives of Devin Industries, LLC, of
or relating to booking keeping, record keeping, document management
and/or the transactions at issue.

4. **SHERRY MILKEY.**

- a. Sherry Milkey, individually, as sued herein.

5. **GALIHAD ENTERPRISES, LTD.**

- a. One or more employees and/or representatives of Galihad Enterprises, Ltd.,
of or relating to booking keeping, record keeping, document management
and/or the transactions at issue.

6. **GRANVIA TRADING, LTD.**

- a. One or more employees and/or representatives of Granvia Trading, Ltd, of
or relating to booking keeping, record keeping, document management
and/or the transactions at issue.

The above individuals listed in 1 thru 6 above, have knowledge and/or information regarding the (a) the alleged sale and alleged manufacture of the merchandise subject of the Third-Party Complaint and/or (b) the relationship, agreement(s), and/or obligations between the Parties, in connection with the claims asserted in the Third-Party Complaint.

Burlington will disclose to the Parties any additional persons that it may discover have information relevant to the issues in this lawsuit.

**DESCRIPTION BY CATEGORY AND LOCATION OF ALL DOCUMENTS
RELEVANT TO DISPUTED FACTS ALLEGED IN THE PLEADING**

It is the Defendant's belief that the following are the documents possessed by Defendant which may be relevant to dispute facts alleged in the Complaint and Answer thereto.

1. Correspondence and electronic mail from concerning the claims asserted in the Third-Party Complaint.

All of the above documents are located at the offices of Lazarus & Lazarus, P.C., 240 Madison Avenue, 8th Floor, New York, New York.

COMPUTATION OF DAMAGES

Burlington does not presently seek any monetary award, except Burlington reserves its rights with respect to any proof of claim heretofore or subsequently filed herein, including such proof of claim Burlington may file in connection with any judgment awarded to Plaintiff herein. Burlington reserves its rights to seek amendment of the Answer with respect thereto. Burlington will seek an award of costs and attorneys fees as allowed by law and statute.

INSURANCE AGREEMENTS

Burlington is unaware of any insurance which will indemnify or reimburse with respect to this lawsuit.

Dated: New York, New York
July 2, 2008

LAZARUS & LAZARUS, P.C.
Attorneys for Third-Party Defendant
BURLINGTON COAT FACTORY
WAREHOUSE CORPORATION

HARLAN M. LAZARUS {HML-0268}
240 Madison Avenue, 8th Floor
New York, New York 10016
(212) 889-7400

TO:

MATALON & SHWEKY, P.C.
450 Seventh Avenue, Suite 1409
New York, New York 10123
Att: JOSEPH LEE MATALON

LAW OFFICES OF JONATHAN Y. SUE
1220 Broadway, Suite 502
New York, New York 10001
Att: JONATHAN Y. SUE

GALIHAD ENTERPRISES LTD.
266 West 37th Street, 9th Floor
New York, New York 10018

DEVIN INDUSTRIES, LLC.
252 West 38th Street
New York, New York 10018

SHERRY MILKEY
c/o Devin Industries, LLC.
252 West 38th Street
New York, New York 10018

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GRANVIA TRADING, LTD. :

Plaintiff, :

-versus- :

SUTTON CREATIONS, INC., :

Defendant/Third-Party Plaintiff, :

- versus- :

Case No.: 08 CV 00580 (LBS)

GALIHAD ENTERPRISES LTD., BURLINGTON :

COAT FACTORY WAREHOUSE CORPORATION, :

SHERRY MILKEY AND DEVIN INDUSTRIES, LLC., :

Third-Party Defendant. :

-----X
BURLINGTON COAT FACTORY WAREHOUSE CORPORATION'S
INITIAL DISCLOSURES PURSUANT TO RULE 26(a)(1)

LAZARUS & LAZARUS, P.C.
Attorneys for Burlington Coat Factory Warehouse Corporation
240 Madison Avenue, 8th Floor
New York, New York 10016
Tel. (212) 889-7400

To

Service of a copy of the within is hereby admitted.

Dated:.....

Attorney(s) for